

41-6a-401.9. Authority to remove and dispose of vehicles and cargoes of vehicles involved in accidents.

(1) As a result of a motor vehicle accident, a law enforcement agency with jurisdiction may, without the consent of the owner or carrier, remove a vehicle, cargo, or other personal property that:

(a) has been damaged or spilled within the right-of-way or any portion of a roadway on the state highway system;

(b) is blocking the roadway; or

(c) is otherwise endangering public safety.

(2) The Department of Transportation, a law enforcement agency, or an authorized tow truck motor carrier shall not be held responsible for any damages or claims that result from exercising any authority or the failure to exercise any authority granted under this section provided they are acting in good faith.

Amended by Chapter 363, 2011 General Session